

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



November 4, 2002

Agenda ID #1329

TO: PARTIES OF RECORD IN CASE 93-03-049

This is the draft decision of Administrative Law Judge (ALJ) Weismehl. It will not appear on the Commission's agenda for at least 30 days after the date it is mailed. The Commission may act then, or it may postpone action until later.

When the Commission acts on the draft decision, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare its own decision. Only when the Commission acts does the decision become binding on the parties.

Parties to the proceeding may file comments on the draft decision as provided in Article 19 of the Commission's "Rules of Practice and Procedure." These rules are accessible on the Commission's website at <http://www.cpuc.ca.gov>. Pursuant to Rule 77.3 opening comments shall not exceed 15 pages. Finally, comments must be served separately on the ALJ and the assigned Commissioner, and for that purpose I suggest hand delivery, overnight mail, or other expeditious method of service.

/s/ CAROL A. BROWN  
Carol A. Brown, Interim Chief  
Administrative Law Judge

CAB:tcg

Attachment

Decision **DRAFT DECISION OF ALJ WEISMEHL** (Mailed 11/4/2002)

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Cellular Resellers Association, Inc.,

Complainant,

v.

Bay Area Cellular Telephone Co. (U-3007-C);  
Los Angeles Cellular Telephone Company  
(U-3009-C); PacTel Cellular (U-3001-C); Ventura  
Cellular Telephone Company (U-3010-C) and  
Sacramento Cellular Telephone Company  
(U-3013-C),

Defendants.

Case 93-03-049

(Filed March 22, 1993)

**ORDER CLOSING THIS PROCEEDING**

This matter was initiated a number of years ago. No activity has directly occurred in this docket for several years.

On October 1, 2002 an Administrative Law Judge's Ruling was sent to the parties asking for the following information:

1. Is there a need for this proceeding to remain open?
2. If there is a need for it to remain open, please indicate what actions would be required to bring this proceeding to a conclusion.

The ruling informed the parties that absent a demonstration of a need for the proceeding to remain open, an order would be prepared for Commission consideration to close the proceeding.

No timely comments were received in response to the ruling. Therefore, it is appropriate to close this proceeding.

**Comments on Draft Decision**

The draft decision of the administrative law judge in this matter was mailed to the parties in accordance with Pub. Util. Code § 311(g)(1) and Rule 77.7 of the Rules of Practice and Procedure. Comments were filed on \_\_\_\_\_ and reply comments were filed on \_\_\_\_\_.

**Assignment of Proceeding**

Geoffrey Brown is the Assigned Commissioner and Philip Weismehl is the assigned Administrative Law Judge in this proceeding.

**Findings of Fact**

1. This matter has been inactive for some time.
2. No comments were received in response to an administrative law judge's ruling inquiring of the parties whether there was any reason to keep this docket open

**Conclusion of Law**

This matter should be dismissed.

**IT IS THEREFORE ORDERED** that Case 93-03-049 is dismissed and the docket closed.

This order is effective today.

Dated \_\_\_\_\_, at San Francisco, California.